

A3 forwarding the commercial transaction from the financial institution system to a merchant system without direct contact between the personal computer and the merchant system.

Remarks

The application was filed with claims 1-6. Claims 1-6 have been examined, and are rejected. All rejections have been reversed. Claim 7 is hereby added. Also, a proposed drawing amendment and substitute drawing are attached hereto. No new matter has been added.

In paragraphs 1-2, the Examiner rejected claim 6 under 35 U.S.C. 112, second paragraph. Claim 6 has been amended to overcome the rejection.

The present invention is unique in that the buyer (user) has no contact direct with the seller (merchant.) Instead, the user/buyer tells a financial institution (bank) what to buy, how to pay for it, and where to ship it. The bank places the order with the seller, pays for the order, and instructs the seller where to ship the order - all without revealing who the buyer is. The seller/vendor/merchant never knows who placed the order and how it was paid for. The seller only interacts with the financial institution.

In paragraphs 3-4, the Examiner rejected claims 1-6 under 35 U.S.C. 103(a) as being anticipated by Giovannoli (US 5,758,328) in view of Sixtus (US 5,903,721).

Giovannoli describes a system where it is required that buyers and seller (network members) are identified to each other, see Abstract, a CPU "including ... means containing the identification of network members." There, "requests for quotation" (RFQ) from buyers are made known to sellers "by broadcasting such requests to network members," and "for said vendor members to respond directly to the requesting buyer."

This is supported by Figure 7 which shows the buyer's and seller's identification in the data packets. As an option, the system of Giovanolli provides the buyer's credit information to the vendor to effectuate automatically a credit purchase of the quoted product, and system allows communications between buyers and sellers by telephone, e-mail or other means column 6, lines 1-11.

This is exactly the type of system that is **not** desired by the user of the present invention. The user of the present invention determines goods and services that the user sees presented on the personal access link and not the

merchant systems, and the user only interacts with the financial institution, **never** directly with the vendor.

Sixtus does not cure the defects of Giovannoli. Sixtus, like Giovannoli executes a transaction between a user and a vendor. The user transmits the transaction request message directly to the vendor. The vendor authenticates the transaction with a trusted server. The trusted server has access to a clearing house. Note, in Sixtus, it is the vendor that clear with the trusted server (not a financial institution). Here, neither the user nor the vendor has direct contact with a financial institution.

In both cited references the transaction flow is basically:

User → Vendor → Financial

The claimed transaction flow is:

User → Financial → Vendor

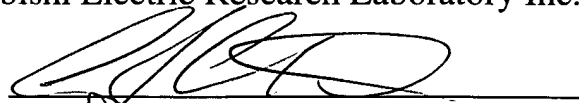
The Examiner has failed to show where these references, either alone or in combination describe, show, or suggest the claimed flow, where the user's anonymity is always preserved.

Those of ordinary skill in the art would not confuse a "trusted" server with a financial; institution. By definition, a trusted server must *always* a third party, to the user, to the vendor, and to the financial institution. If the trusted server is not a third party, it can no longer be trusted.

All rejections have been complied with, and applicant respectfully submits that the application is now in condition for allowance. The applicant urges the Examiner to contact the applicant's attorney at phone and address indicated below if assistance is required to move the present application to allowance. Please charge any shortages in fees in connection with this filing to Deposit Account 50-0749.

Respectfully submitted,
Mitsubishi Electric Research Laboratory Inc.

By:



Andrew J. Curtin

Reg. No. 48,485

Attorney for Assignee

Mitsubishi Electric Research Laboratories, Inc.

201 Broadway, 8th Floor
Cambridge MA, 02139
(617) 621-7573

**APPENDIX-A TO RESPONSE TO OFFICIAL ACTION
(DELETIONS IN BRACKETS AND ADDITIONS UNDERLINED)**

1. (Amended Once) A method for performing a commercial transaction via a network;

specifying a commercial transaction for a [particular] user in a personal access module connected to the network, the personal access module operated only by the user;

receiving the commercial transaction in a personal access link configured to operate according to a profile associated with the user;

forwarding the commercial transaction to a financial institution system depending on the profile of the user; and

forwarding the commercial transaction from the financial institution system to a selected merchant system depending on the profile of the user and the commercial transaction.

6. (Amended Once) A system for performing a commercial transaction via a network;

a personal access module connected to the network for specifying a commercial transaction for a [particular] user;

a personal access link configured to operate according to a profile associated with the user and for receiving the commercial transaction, the personal access operated only by the user;

a financial institution system for receiving the commercial transaction depending on the profile of the user; and

a selected merchant system for receiving commercial transaction from the financial institution system depending on the profile of the user and the commercial transaction.

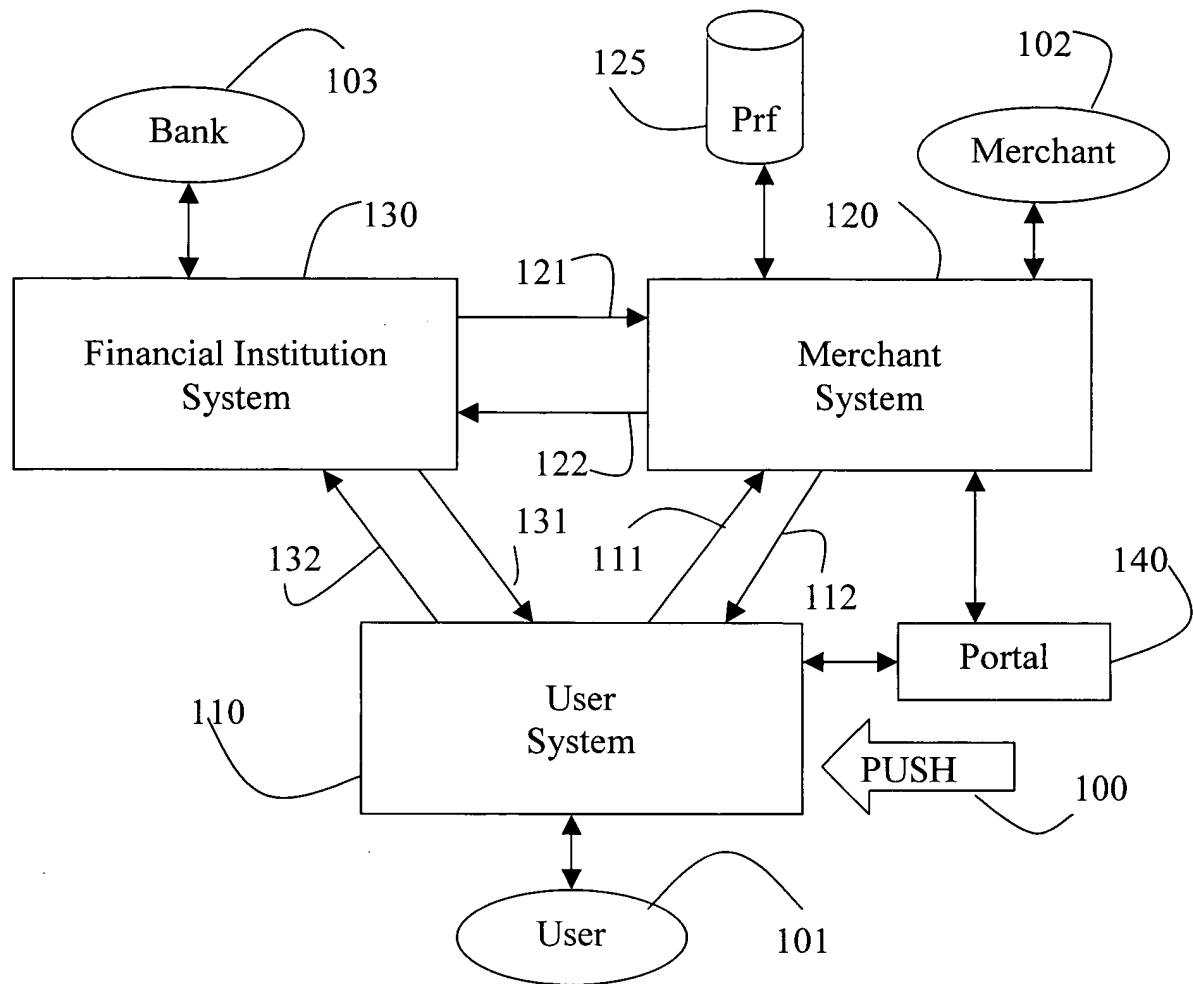


Fig. 1
PRIOR ART